

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE UNITED STATES OF
AMERICA
FOR THE USE AND BENEFIT OF
READY MIX CONCRETE, INC.

Plaintiff

vs

CIVIL 98-2235CCC

UNITED STATES FIDELITY &
GUARANTY COMPANY, THE ST. PAUL
COMPANIES, INC., RELIABLE
MECHANICAL, INC., GALEAR, INC. and
JOHN DOES 1 THROUGH 25,
INCLUSIVE

Defendants

RELIABLE MECHANICAL, INC.

Third-Party Plaintiff

vs

ARMANDO A. DIAZ-CRUZ

Third-Party Defendant

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U.S. DISTRICT COURT
SAN JUAN, P.R.

JUDGMENT

Having considered Co-defendant and Third Party Plaintiff's Motion for Summary Judgment (**docket entry 43**), the opposition filed by Armando A. Díaz-Cruz and Galar, Inc. (**docket entry 47**), and Defendants' Response to Third Party Defendant's Opposition to Motion for Summary Judgment (**docket entry 50**), and in light of Articles 11 and 13 of the subcontract, which makes the personal guaranty part of said subcontract, the Third Party

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[Signature]

CIVIL 98-2235CCC

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Complaint is DISMISSED, without prejudice, so that the remaining disputes among Reliable Mechanical, Inc., Galear, Inc. and Díaz-Cruz may be taken to arbitration as required by the subcontract.

SO ORDERED AND ADJUDGED.

At San Juan, Puerto Rico, on January 25, 2001.


CARMEN CONSUELO CEREZO
United States District Judge

*s/c. E. T. Telli
J. Ramirez
H. Rodriguez*

JAN 29 2001

[Signature]